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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

|                           |   |   |
|---------------------------|---|---|
| UNITED STATES OF AMERICA, | ) | No. CR 10-0279 VRW                        |
|                           | ) |   |
| Plaintiff,                | ) | STIPULATION AND <del>PROPOSED</del> ORDER |
|                           | ) | EXCLUDING TIME UNDER 18 U.S.C. § 3161     |
| v.                        | ) |   |
|                           | ) |   |
| ALFONSO AMADOR ALVAREZ,   | ) |   |
|                           | ) |   |
| Defendant.                | ) |   |
| _____                     | ) |   |

The parties appeared before the Honorable Vaughn R. Walker on May 27, 2010. With the agreement of counsel for both parties, the Court found and held as follows:

1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from May 27, 2010 to June 24, 2010, in light of the need for defense counsel to conduct further investigation and to pursue further plea negotiations. Failure to grant the requested continuance would unreasonably deny defense counsel reasonable time necessary for effective preparation,

taking into account the exercise of due diligence and the need for counsel to conduct further investigation.

2. Given these circumstances, the Court found that the ends of justice served by excluding the period from May 27, 2010 to June 24, 2010, outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

3. Accordingly, and with the consent of the defendant, the Court ordered that the period from May 27, 2010 to June 24, 2010, be excluded from the Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

SO STIPULATED:

JOSEPH P. RUSSONIELLO  
United States Attorney

DATED: May 28, 2010

/s/  
PATRICIA SPALETTA  
Special Assistant United States Attorney

DATED: May 28, 2010

/s/  
JODI LINKER  
Assistant Federal Public Defender

SO ORDERED.

DATED: 6/2/2010

THOMAS H. WALKER  
United States District Judge

